# LAWS RELATING TO FOOD SAFETY: NATIONAL AND INTERNATIONAL PERSPECTIVE

**A SYNOPSIS**

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## 1.1 Introduction

"*Safe wholesome and hygienic food will create 'Swasth Bharat'*
*This has to be cornerstone of the efforts of FASSAI*"

Narendra Modi[1]

Food whenever someone hear this word or start thinking about it one thing which directly comes in everyone's mind is about the access to a hygienic and healthy food. Food is the basic requirement of life. Food is the very basic and foremost requirement for the proper enjoyment of the life. Right to food, does not find a mention, express manner, in the Indian Constitution then even it is carried through various provisions of it.[2] The cases of Food Adulteration are on rise in India, which has resulted the serious health hazards and menace to public health.[3] The substandard food quality and poor food safety measures makes right to food meaningless and imposes social and economic burden on the communities at large.

It is now proved that billions of the people in the world are at risk of consuming the unsafe food. As per Centre for Science and Environment out of 2 million people 700,000 people die every year due the food borne diseases including that of, Diarrhea arising of the food contamination in South Asia.[4] In 2013 ten percent of the deaths of the children of less than of age 5 years have been caused due to food related diseases.[5] Being a country of huge population many cases are still found unreported and unrecognized. Unrestricted use of the pesticides and the antibiotics is liable for the serious health hazards. Equal access to safe and sufficient food is basic necessity of humans and is important to create a world without hunger and poverty. Ideal quality food is the desire of everyone, but the reality is that millions of the people become sick and many of them die every year because of the consumption of unhygienic and adulterated food for example addition of water and detergent in milk. Presently the science and technology has progressed to such a level that the world is touching the new heights but simultaneously it has also contributed to the new ways of food adulteration. Now the time has arrived when the

[1] Narendra Modi, One Nation, One Food Law(Jan. 19 , 2020, 2:42 PM),https://www.fssai.gov.in/ .
[2] India Const. art.21, art. 38, art. 42,art. 47.
[3] Shree Dhar Purohit & Kashi Nath Joshi, Supreme Court on Prevention of Food Adulteration Law in India (1973).
[4] Centre for Science and Environment, Contamination of Food greatest challenge for food safety in India (Jan. 17 , 2020, 12:05 PM),https://www.cseindia.org/contamination-of-food-is-the-greatest-challenge-for-food-safety-in-india-says-cse-on-world-health-day-april-7--5764 .
[5] *Ibid*

crime of food adulteration is to be treated like Murder.[6] This statement depicts grim state of affairs.

By and large food safety is a topic which is to be appreciated by every nation. The image of the food safety provided by the developed countries is required to be followed by the various developing nations including that of India. Though the developing countries should adhere to the plans and policies framed by the developed countries, they should be aware about the needs of their people. Thus the role of the national policy makers and the government is important.

In post independence era laws and policies have been framed to ensure better food safety. Even though we have made lot of laws but what is about the proper implementation of all these laws.

India has enacted Food Safety and Standards Act which prohibits contamination but even this law fails on certain points like the lack of the provision with regard to the basic training of the persons who are deputed to pack the food items, their handling etc. Another challenge has occurred after the introduction of the e-commerce sites which provides the timely delivery of the food items. But because of the packed material it again is a threat to the public health and is a unsafe food.

Despite of the regulations of FSS Act, 2006 and that of FASSAI the food safety here is not at par with that of the other countries of the world. Delay in the courts, and awareness among the consumers is needed. Contamination of the food has become a big question to be answered by the government and authorities involved in it. Persons involved in the cases of food adulteration should be provided the exemplary punishments.

The food contaminators are involved in this process up to such a level which is beyond imagination. Some of it are: the use of the pesticides, antibiotics, street food and packaged food. The number of food testing laboratories must be increased and they must be equipped with better infrastructure including equipment and chemicals. Awareness, education and training of all stakeholders is also desired. The nation as a whole is also

[6] J.H.C Capoor & J.D.D.Seth, Commentaries on The Prevention of Food Adulteration Act, (1982).

required to be made aware of all the food safety norms and about the signs to purchase safe and hygienic food items.[7]

The various institutions of the world which deal with the issue of health and food safety also provide that the world is at the risk of consuming the unsafe and unhygienic food. WHO being the apex global health organization has itself revealed that millions of the people throughout world are suffering from different ailments because of consumption of unsafe food.

Thus in the view of the above sated facts it can be said that food safety is a fundamental rights of the peoples at the world level including that of India.

### 1.1.1 Food

Food is a primary necessity for different living entities. Likewise we cannot survive in the lack of water and air; similarly we can't live without food. Food provides us strength to do our everyday routines and maintains our body systems. Food furthers the nourishing components required by our body to repair and build tissues and to run different functions.[8] Food performs much more than just keeping us healthy and alive as it adds happiness to our life. Food is defined as any materials which nitrify the body and is fit to eat. It may be liquid or solid. Different processes of body as regulation, maintenance, growth and energy are benefitted by food.[9] Food is defined as a material consisting of protein, carbohydrate, and fat which is consumed by an organism to get repair, growth and vital processes and to get energy.[10] Food is a substance which is consumed by an organism to have support and nutrition. Food has its own essentials which include minerals, protein, vitamins, fat and carbohydrates.[11] Food is a substance which is eaten, drunk or otherwise taken into the body to provide energy, growth and life. It is something which supplies nourishment to organisms. It is something which serves for consumption or use.[12] Again food can be defined as something which animals and people eat, or to

[7] Environment, supra ,
[8] Sunetra Roday, Food Science and Nutrition 240 (2018).
[9] *Ibid*
[10] Merriam Webster, Definition of Food (Jan.17,2020,12:00PM),https://www.merriam-webster.com/dictionary/food.
[11] Wikipedia,Food, (Jan. 17 , 2020, 12:30 PM),https://en.wikipedia.org/wiki/Food .
[12] Dictionary. Com, food, (Jan. 17 , 2020, 12:31 PM), https://www.dictionary.com/browse/food .

which the different plants absorb to stay alive.[13] Food can also be defined as substance consisting the essentials of fat, carbohydrate, protein and the nutrients used by the body of an living being to get energy. The type of the energy source may vary as per different organisms.[14] Simply if we just say then food can also be defined as what animals and people eat.[15] It is a substance which is nutritious or to which animals and people drink or eat for the maintenance of growth and life.[16] Food is the nourishment taken into the body. It can have its own examples.[17] Finally being the subject of the commerce and trade food can be defined as potable or edible substance which consists of nutritive and nourishing components including that of protein, fat, mineral, carbohydrate and vitamins for the better maintenance of body and health.[18]

#### 1.1.1.1 Types of Contamination in Food

Contamination or adulteration refers to the presence of unintended and harmful substances or organisms in food. Food contamination can be physical, chemical or biological. It is now proved that food borne contamination can cause injury, illness or even death of human beings. Presently contamination in food happens in two different ways called: cross contamination and direct contamination.[19] Cross contamination cannot move on their own. Thus it is transported via a process called as cross contamination. It happens when similar food tool is used for two food items. It also happens when raw food comes in the contact of cooked food. The main cause of this contamination is people. It happens when the food handlers process, prepare and cook a food item for its service.[20] As stated before this cross contamination is further dived into biological, chemical and physical contaminants. Biological contaminants includes: fungi, viruses, parasites and bacteria. Whereas chemical contaminants include: a variety of chemical presence in food items. Mostly these are undetectable and invisible. It includes: toxic metals, food service chemicals and residual chemicals. Similarly physical contaminants happen via foreign

[13] Cambridge Dictionary, Food, (Jan.17,2020,12:32PM), https://dictionary.cambridge.org/dictionary/english/food
[14] Encyclopedia Britanica, Food, (Jan. 17 , 2020, 12:35 PM), https://www.britannica.com/topic/food .
[15] Collins, Definition of food, (Jan.18, 2020, 12:40 PM), https://www.collinsdictionary.com/dictionary/english/food
[16] Lexico, food, (Jan. 18 , 2020, 12:40 PM), https://www.lexico.com/definition/food .
[17] Your Dictionary, food, (Jan. 18 , 2020, 12:40 PM),https://www.yourdictionary.com/food .
[18] Business Dictionary, food, (Jan. 18 , 2020, 12:42 PM),http://www.businessdictionary.com/definition/food.html .
[19] Vikas Singh & Subhadip Majumdar, Text Book of Food Production 15, (2011).
[20] *Ibid*

objects and their addition in food via mistake. For e.g- dirt, hair, broken pieces of glass etc.[21]

#### 1.1.1.2 Definition of Food as per The Prevention of Food Adulteration Act, 1954

**"**Food" means any article used as food or drink for human consumption other than drugs and water and includes—

**(a)** Any article which ordinarily enters into, or is used in the composition or preparation of, human food,

**(b)** Any flavoring matter or condiments, and

**(c)** Any other article which the central government may, having regard to its use, nature, substance or quality, declare, by notification in the official gazette, as food for the purposes of this Act.[22]

**Definition of Food as per The Food Safety and Standards Act, 2006: "**Food" means any substance, whether processed, partially processed or unprocessed, which is intended for human consumption and includes primary food to the extent defined in clause (zk), genetically modified or engineered food or food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum, and any substance, including water used into the food during its manufacture, preparation or treatment, but does not include animal feed, live animals unless they are prepared and processed for placing on the market for human consumption, plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances: provided that the central government may declare, by notification in the official gazette, any other article as food for the purposes of this Act having regard to its use, nature, substance or quality. [23]

#### 1.1.1.3 Laws governing food safety in India

Food safety has become the foremost priority of the present time. Today the consumer of various food items has become aware of many things but even then the problem of unsafe food persists. The concept of food safety is covered under the both laws i.e criminal and civil. In our country there are many laws which deal with the issue of food safety. It was

[21] "Id. At 16"
[22] The Prevention of Food Adulteration Act, (1954).
[23] The Food Safety and Standards Act, (2006).

during the time of British rule that the problem of food safety was recognized. British were very particular with the safety of food items. Chapter XIV of the Indian Penal Code 1860 is titled: "Of Offences Affecting The Public Health, Safety, Convenience, Decency and Morals" of the Indian Penal Code from Sections 272 to 277 deals with the issue of the unsafe food. Section 272 talks about the Adulteration of food or drink intended for sale.[24] Section 273 talks about the sale of noxious food or drink.[25] Section 274 is on the Adulteration of drugs.[26] Section 275 is on Sale of adulterated drugs.[27] Section 276 provides for the Sale of Drug as a different drug or preparation.[28] Section 277 makes provisions for fouling water of public spring or reservoir.[29]

Concept of food safety is also covered under the Law of Torts. Tort covers the different wrongful acts. Tort is the obligation which is imposed by a law and it should be followed. Tort law covers both intentional and unintentional torts. Thus the concept of food safety

[24] Section 272, Indian Penal Code, 1860 provides: Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. Classification of the offence given under this section calls it a non cognizable, bailable, non-compoundable offence to which it says is to be tried by any Magistrate.

[25] Section 273, Indian Penal Code 1860 provides: Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. Section also covers explanation to the section by saying that offence under the section is non-cognizable, bail able, non-compoundable and triable by any Magistrate.

[26] Section 274, Indian Penal Code 1860 reads as follows: Whoever adulterates any drug or medical preparation in such a manner as to lessen the efficacy or change the operation of such drug or medical preparation, or to make it noxious, intending that it shall be sold or used for, or knowing it to be likely that it will be sold or used for, any medicinal purpose, as if it had not undergone such adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. Classification of this section calls it a non-cognizable, non-bailable, non-compoundable offence. It can be tried by any Magistrate.

[27] Section 275, Indian Penal Code 1860: Whoever, knowing any drug or medical preparation to have been adulterated in such a as to lessen its efficacy, to change its operation, or to render it noxious, sells the same, or offers or exposes it for sale, or issues it from any dispensary for medicinal purposes as unadulterated, or causes it to be used for medicinal purposes by any person not knowing of the adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or both. Classification attached to the section makes it a non-cognizable, bailable, non- comoundable offence. It can be tried by any Magistrate.

[28] Section 276, Indian Penal Code 1860 provides - Whoever knowingly sells, or offers or exposes for sale, or issues from a dispensary for medicinal purposes, any drug or medicinal preparation, as a different drug or medical preparation, shall be punished with imprisonment of either description for a term which may extend to one thousand rupees, or with both. Section for classification of offence says: offence under section will be a non-cognizable, bailable, non- compoundable offence. It again says that it can be tried by any Magistrate.

[29] Section 277, Indian Penal Code 1860 provides - Whoever voluntarily corrupts or fouls the water of any public spring or reservoir, so as to render it less fit for the purpose for which it is ordinarily used, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundered rupees, or with both. Classification attached with section makes it a cognizable, bailable, non compoundable offence. It can be tried by any Magistrate.

is also covered under it. Whether the wrongdoer has adulterated the food with his intention or not it will be covered by the law of tort. Thus the tort law covers the different incidents of food safety as: Negligence, and the rule of strict and absolute liability.[30]

In the area of food earlier there were various food laws upon the issue of food safety which are now repealed by the new FSS (Food Safety and Standards) Act 2006. The list of the various acts repealed by the FSS Act 2006 is as follow:

a) Essential Commodities Act 1955, (in relation to food)
b) The Milk & Milk products order, 1992
c) The Solvent Extracted Oil, De Oiled Meal, and Edible Flour (control) Order, 1967
d) The Edible Oil Packaging (Regulation), Order 1998
e) The Vegetable Oil Products (Control) Order, 1947
f) The Meat Food Products Order, 1973
g) The Fruit Products Order, 1955
h) The Prevention of Food Adulteration Act, 1954 Etc.[31]

Thus it becomes clear that now it is only the FSS (Food Safety and Standards) Act, 2006 which prohibits all the practices of food adulteration. The definition of the food safety given under the FSS Act, 2006 provides: Food safety is the assurance that the food is acceptable for the human consumption.[32]

### 1.2 Problem Profile

As per FAO (Food and Agricultural Organization) and Central Food Laboratories of Pune and Calcutta small eating houses (dhabas) are the main sources of food contamination. These small eating houses are neither aware of proper hygiene practices nor much bothered about it.[33] These rural eating houses (dhabas) mostly located on the road sides, are mostly devoid of proper waste disposal, sanitation and protection from exhaust fumes, dirt and dust emitted by thousand of vehicles that pass by. Equipment which are used in these dhabas as well as in various other food processing plants located at rural areas, are

[30] Ken Albala , The Sage Encyclopedia of Food Issues , 2, (2015).
[31] Vaish Associates, India:Laws Governing The Food Industry In India –Revisited (Jan. 20, 2020, 7:40 PM),http://www.mondaq.com/india/x/244880/food+drugs+law/Laws+Governing+The+Food+Industry+In+India+Revisited / .
[32] Section 3(q) Food Safety and Standards Act, 2006
[33] S.N .Mahindru, Food Safety Concept and Reality 5 (2015).

old and difficult to keep clean.[34] Further the inspectorate are far, its offices are located in the cities; and this big sector of food production and service is away from the areas of municipality. Thus the staff of these important bodies has neither the jurisdiction nor do they bother to visit these rural areas.[35] The food safety standards are not up to date in India. If we just take the example of one state only as of Himachal Pradesh then even it is realized that the status of the food safety standards are very low. Till date the masses are not aware about the different food safety laws. Even when they encounter with the different unsafe food issues then even they don't know where to go, to whom they can approach. Normally if such thing happens instead of claiming the tortuous liability they throw away the substandard or unsafe food. As per the census of 2011 Himachal Pradesh has a population of 68, 56,509 in its 12 districts.[36] Estimated food business operator population in the state is of 13309. Further 121781 food business units are registered till date in H.P. Interestingly the data of year 2018-2019 with regard to annual Food Testing Report of Enforcement Samples show that only 236 number of food samples were collected out of which 229 were analyzed by the state food laboratory and only 43 samples were found adulterated, unsafe and misbranded. Again the state has only one functional State Food Laboratory. Furthermore in the year 2018-2019 there were filled 10 adjudications and 4 criminal court cases against the FBOs (Food Business Operator's) of the state. Only in 35 cases penalty was imposed amounting to rupees-9, 05,500 rupees only. Details of Criminal cases is also not so satisfying where in 2018-2019 only in 4 cases conviction was imposed and the penalty only of 60,000/- was collected. So it is realized that till day the government agencies engaged for the testing of the contamination in food are not more in their number. Again it lacks in the basic infrastructure including that of necessary lab instruments and lab analysts.[37]

Different nations of the world including India are facing the serious health concerns due to undernourishment and unsafe food. Food Safety is the every human's concern but there is hardly any person to find who have not faced the unsafe food and the food borne diseases.[38] Till date India's food safety system is far behind if compared to the foreign countries of the globe. The various food items which India exports worldwide and

[34] *Ibid*.
[35] "Id. At 5"
[36] Fact sheet on enforcement related issues for state of Himachal Pradesh.
[37] *Ibid*.
[38] World Health Organization, Food Safety: What you should Know, (Jan. 20, 2020, 7:43 PM),http://www.searo.who.int/entity/world_health_day/2015/whd-what-you-should-know/en/ .

rejection of the many of such items is the biggest evidence of it. Again India is far behind the effective testing of the food items in its laboratories. Our food handlers till date lacks in the effective professional training to handle the food items. So it is realized after looking into the provisions of the Food Safety and Standards Act, 2006 that it fails to impose the liability on such food handlers. Every year throughout the globe including India millions of people become ill and thousand of them dies because of one reason and that is the unsafe food quality. The present food quality is largely affected by the environmental, personal, chemical and microbial contaminants.[39] Imposing of the large amount of fines is not a solution for the issue of the food safety.[40]Food safety is directly linked with the health of the human beings. Food safety is not just a line or sentence but it includes many things including: handling, preparation and processing in it. After the introduction of the ready to eat food the quality of food has gone to a very lower extent. Ready to eat food is now available largely in the market which doesn't ensure the timely consumption of the food after its preparation and thus it leads the consumer to the risk of the food borne illness.[41] FAO (Food and agriculture organization) and the WHO (World Health Organization) are the main authorities of the world to tackle the issue of food safety globally but how much they are successful in this has now become a big question.

### 1.3 Review of Literature

During the recent time lot of researches have been done on the topic of food safety reveal that the standard of food safety in our nation is not good.Some of the noteable studies referred by the researcher are as follows:

**Ashok R. Patil** in **"*The Food Safety and Stanards Act, 2006: Need Of The Hour (2007)*[42]**, states that the Prevention of Food Adulteration Act, 1954 and Indian Penal Code, 1860 are ineffective because they have failed to address the interest of consumers. The article shares threatening figures on the contamination of various food items. The article can be of great help in the present study because it provides data on the basis of samples collected by various state governments.

[39]Biomedical Journal, Food Safety in 21st Century,(Jan.20,2020,7:09 PM),https://www.sciencedirect.com/science/article/pii/S2319417017304055 / .
[40] J.H.C Capoor & J.D.D.Seth, Commentaries on The Prevention of Food Adulteration Act, (1982).
[41] S.N .Mahindru, Food Safety Concept and Reality (2015).
[42] Ashok R. Patil, The Food Safety And Standards Act, 2006: Need Of The Hour, 5 Karnataka Law Journal 21, 26 (2007).

**A. Lakshminath and M. Sridhar (2010)**[43] in book ***"The Law of Torts"*** effectively covers various aspects of torts. The book covers the remedies in law of torts including the rule of strict and absolute liability. The rule of absolute liability is discussed elaborately alongwith the relevant case laws by English and Indian courts. The rule of absolute liability is discussed as a rule of no fault liability. Present Book can be a great as it effectively covers the rule of absolute liability.

**Anna Mcelhatton and Richard J. Marshall** in the book **"*Food Safety a Practical and Case Study Approach",* (2007)**[44]**,** has talked about the aspect of food safety with a experimental case study approach. Author has also covered the issues like treatment of waste in food industry, risk assessment, processing of food. The practical case studies on the issue of environmental health and food safety are also covered under the book.

**Anusree Mohan and Jyothi Sajayan** in the article **"*An overview of legal issues regarding food safety",* (2015)**[45]**,** argued that the food laws in different nations including India has mainly developed because of the efforts of WHO (World Health Organization) & FAO (Food & Agricultural Organization). The author has appreciated the international standards regarding food safety issued by WHO & FAO especially Codex Alimentarius & HACCP (Hazard analysis and critical control point). The authors provide list of national standards .The article critically analyses the Prevention of Food Adulteration Act, 1954.

The present article seems of great help for the researcher because it has discussed the problem of food safety in a very scientific manner. The information with regard to international and national standards is of immense importance for the present research work.

**Bimal N. Patel, Ranita Nagar, S Sivamanithan, Hitesh Thakkar, Viral Pandya, Bindu Vijay, Vivek Dube, Param Pandya's "*Food Security Law Interdisciplinary Perspectives*, (2014)**[46] is the compilation of the various research papers by the Center for Food Security and Agro Economy, Gujrat National Law University, Gandhinagar. The book through its various research papers has seriously raised the issue of food security, right to food and the issue of hunger in India.

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[43] A. Lakshminath & M. Sridhar, The law of Torts (2010).
[44] Anna Mcelhatton & Richard J. Marshall, Food Safety a Practical and Case Study Approach (2007).
[45] Anusree Mohan & jyothi sajayan, *An overview of legal issues regarding food safety*,(Dec. 11, 2019, 07:00PM), www.ujconline.net
[46] Bimal N. Patel et.al.,Food Security Law Interdiciplinary Perspectives (2014).

This book being the compilation of various research papers on the issue of food security, Right to food etc. can be of immense importance for the researcher. It is felt that the case laws provided by the present book are of limited scope on the issue of food security and is an area to be looked carefully.

**Bharat Paul, Puja Patel, Jasbir Singh Malik, Vivek Gera** in the article "***Food Safety: The Indian Perspective,* (2015)**[47]** focus on the area of food safety. The article also covers various food laws and regulations and agencies implementing them. Authors opine that making of the consumer aware about the food safety and the food borne illnesses is the way forward in the area of food safety.

**Biswajit Chatterjee and Asim K. Karmakar's "*Food Security in India*, (2012)**[48]** is the compilation of the different selected articles on the issue of food security in India covering the food security and public distribution system, food insecurity in India, ensuring food security in India, relevance of the concept of food security, management of India's food economy, achieving food and nutrition security in India, attaining food security and food security in India challenges ahead etc.The book can be of great help for the present researcher because it covers the issue of food security in India in a very comprehensive manner.

**Boudhayan Chattopadhyay** in **"*Food Insecurity and the Social Environment,* (1991)**[49]**,** discusses food-insecurity experienced by the village communities of some of the Indian states. The author has studied the relation of morbidity and food insecurity in two Indian states – West Bengal and Odisha.

**B.M. Bhatia** in **"*India's food problem and policy since Independence*, (1970)**[50] presents clear picture of India's food problem since independence. As per author the food problem of India is not new but is century old. He has connected this problem with that of British rule where this situation was beyond control. According author to poverty and hunger in India are interconnected. He says that even after independence no serious attempt was made in the country to increase the food production. Further he states that no

[47] Bharat Paul et al., Food Safety: The Indian Perspective, (2015), http://njcmindia.org/uploads/6-2_286-288.pdf .
[48] Biswajit Chatterjee & Asim K. Karmakar, Food Security in India (2012).
[49] Boudhayan Chattopadhyay, Food Insecurity and the Social Environment 1 (1991).
[50] B.M. Bhatia, India's food problem and policy since independence (1970).

responsible government can escape from its obligation to provide proper food to its citizens.

Though the author has provided detailed information on India's food problem, it is not up to date. India's food problem and policies have seen huge transformation since 1970. So the researcher will try to explore the possible loopholes in the policies framed by the government during the recent years.

**B.Srilakshmi** in book **"*Food Science*,(2018)[51],** provide exhaustive information on the food science. The book discusses topics like nutrition, food, antioxidants food additives and the harmful effect of the pesticides on the food items. Author has emphasized raising the nutrition level among the daily food. Though the book of immense help vis-à-vis the scientific aspect of the food science,it has failed to share the scope of the further improvement in the field of food science .

**Bernard Davis** and others in book "***Food And Beverage Management, (2016)*[52]*,*** has talked about the management of food quality and its importance for the food industry. Author has specially emphasized on the definition of the food quality. Food quality from the perspective of the customer also found mention in the book. Further this book tells about the impact of the biotechnology on the food quality.

**Bernd Van der Meulen** in the book report titled **"Reconciling food law to competitiveness, (2009)[53],** has covered various day to day topics of food law like food law competitiveness, food law accessibility, premarket approval for food, food control and handling etc. various other topics of food law like food safety targets, food labelling and food related supportive schemes are also covered in the book report.

**Colleen Taylor Sen** in the book titled **"Feasts and Fasts, (2015)[54],** have effectively discussed the food history of ancient India. Author shares that India's food history has an influence of different civilizations which happened here time to time. Another focus area of author lies in the presence of Ayurveda in the different dishes of India. Overall focus area of the book is on elaborating the food history of ancient India as the history of physical and cultural diversity.

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[51] B. Srilakshmi, Food Science (2018).
[52] Bernard Davis, et.al., Food And Beverage Management (2016).
[53] Bernd Van der Meulen, Reconciling food law to competitiveness (2009).
[54] Colleen Taylor Sen, Feasts and Fasts (2015)

**Civil Services Chronicle, "*Public Health*" (2019)**[55] focuses on public health in India including policy making, spending on the health sector, strengthening the primary care, quality of healthcare etc. The article discusses relevant the Directive Principles of the State.

As the article discusses government, it can be helpful in the present research. However the article fails to give suggestions to bridge the loopholes in the constitutional and legislative provisions.

**Caoimhin Macmaolain's "*Food Law*, (2015)**[56]**,** compiles a number of laws framed by members of European Union. It also provides information related to availability of food among these nations. Further it provides information on the early food laws framed by the British.

**Douglas Ensminger's** book **"*Food Enough or Starvation for Millions*, (1977)**[57] is a case study of availability of food among some selected countries of the world.Author has also covered the Indian situation on the issue of food availability by covering the various Indian states. The book focuses on the issues like population growth, economic growth, interrelationship between population growth and food production and on the issue of family planning and food availability in India.

**Daya Devi and Simple Chhabra in *Food Security a Basic Human Right(2014)***[58] focus on the food security in India, different agencies related to it including Food And Agriculture Organization of U.N, International Covenant , International Food Policy Research Institute, Supreme Court's decisions and also the National Food Security Act,2013.

The author provided concrete suggestions to prevent food contaminations. Therefore this article is of immense value in the present study.

**Dr. Manish Kumar Chaubey** in ***Right to Food in India* (2012)**[59]**,** has discussed the Global Hunger Index (GHI) of 2012 and called it as multidimensional statical tool for measuring the hunger situation. The author has discussed international instruments and

[55] Civil services Chronicle, September, 2019
[56] Caoimhin Macmaolain , Food Law (2015).
[57] Douglas Ensminger , Food Enough or Starvation for Millions (1977).
[58] Daya Devi & Simple Chabra, Food Security a Basic Human Right ,50 Civil and Military Law Journal. 4 (2014).
[59] Dr. Manish Kumar Chaubey, Right to Food In India, Civil and Military Law Journal. 4 (2012).

has highlighted the main issues of food security, organizations which deals with it, role of government & various international organizations such as FAO (Food & Agricultural organization), United nations, ICESCR (International Covenant On Economic Social & Cultural Rights) apart from the constitutional provisions in India.

**Evelyn Kirchsteiger Meier and Tobias Baumgartner in *Global Food Legislation* (2014)[60],** has talked about the global food laws of various countries like Argentina, Brazil, Canada, China, European Union, Japan, Korean Republic, Russia, Switzerland, Turkey and last but not least of United States of America. Food safety being a matter of world concern is widely discussed under the book. Present study thus being a comparative study of world nations especially United States of America covered under this book will help researcher to know about and to draw a comparison between the food laws of India and that of United States.

**Food and Agriculture Organization of the United Nations, "*The State of Food Security and Nutrition in the World*, (2018)[61],** covers the aspect of the food security and the nutrition in the world. The book covers topics like recent trends in hunger and food insecurity, progress towards improving nutrition, link between food insecurity and malnutrition and the impact of the climate change on the food insecurity. Further the author has explained policies and programme on climate change and the food insecurity.

**Food Safety & Standards Authority Of India, "*Training Manual For Food Safety Regulators*, (2010)[62],** This source of data is an important manual book published time to time by the Food Safety and Standards Authority of India. in this the Authority has described the various things like Food Safety and Standards Act, 2006, duties, functions and responsibilities of food safety regulators and about the execution of food regulations as per FSS Act, 2006. Being an data source from the food safety concerned authority it is a very relevant data source of information for the present research work.

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[60] Evelyn Kirchsteiger Meier & Tobias Baumgartner , Global Food Legislation (2014).

[61] Food& Agriculture Organization, The State of Food Security And Nutrition In The World (Dec. 12, 2019, 3:30 PM), https://books.google.co.in/books/about/The_State_of_Food_Security_and_Nutrition.html?id=LC9uDwAAQBAJ&printsec=frontcover&source=kp_read_button&redir_esc=y#v=onepage&q&f=false / .

[62] Food Safety & Standards Authority Of India, Training Manual For Food Safety Regulators, Food Safety Regulations & Food Safety Management. 2 (2010).

**Gabriela Steier and Kiran K. Patel** in **book "*International Food Law and Policy*, (2016)[63], talked about the world food law and policy. The book thus covers various topics connected with the topic food like agriculture, role of WHO (World Health Organization) in food safety, international aspect of right to food, intellectual property law and food, international food trade, food and energy, food security, food safety, food laws of United states and Australia etc. Again the topics like Asian food policy, food laws of India are also elaborated effectively by the authors.

**Gabriela Steier and Kiran K. Patel** in **book "*International Farm Animal Wildlife and Food Safety Law*, (2017)[64], shares very different and best information of the topic of food law farm and wild animals. Thus the book covers the topics like: use of pesticides and food, genetically modified organisms, food policy, animal welfare legislation and use of antibiotics in meat produce etc. Topics like Marine animal regulation and industrial animal agriculture regulations are also very well defined under the book.

**G.G. Birch and K.J. Parker's "*Food and Health: Science and Technology*, (1980)[65],** is the collection of the various research articles on the issue of health and food safety including control and standardization of the national food quality, the validity of the concept of health foods, healthy eating, educating the educators about the food safety and public knowledge about nutrition providing the necessary and safe food items to the public. The authors are of opinion that it is the role of the government to raise the standard of the food safety and simultaneously educating various stakeholders including journalists, health education officers, dietitians, midwives, nurses, health visitors, dentists, doctors, caterers, teachers etc.

**Gilbert Etienne** in **"*Food and Poverty India's Half won Battle*, (1988)[66]** contains valuable information on the issue of food and poverty in India. The book contains the survey of India's rural development done by the Graduate Institute of International Studies and from the institute of Development studies of Geneva. The author has compared the crops of India and world. Author has specifically focused on Punjab to which he calls top most state that feed India a lot. Present book can be of great help as it sheds light on the initial years of independence .

[63] Gabriela Steier & Kiran K. Parker, International Food Law and Policy (2016).
[64] Gabriela Steier & Kiran K. Parker, International Farm Animal Wildlife and Food Safety Law (2017).
[65] G.G. Birch & K.J. Parker, Food And Health: Science And Technology (1980).
[66] Gilbert Etienne, Food and Poverty India's Half won Battle 1 (1988).

**Gyanindra Dash, Sudhakar Patra and K.K. Sahu** in "***Sustainable Agriculture and Food Security*, (2014)**[67] have covered the issue of the food security in India. Book defines food security and discusses causes of food crisis, international scenario of food security and Indian scenario of food security. As per authors, during 2005-06 a national family health survey was conducted in India in which it was found that a lot of people are prone to the risk of food insecurity, many are underweight especially the children below the age of 3 years. The other topics at which the book has laid greater stress includes: Food Insecurity and PDS system, challenge of food security in India, food security in the era of globalization and food security and self sufficiency. Present book is of great importance for the researcher because it includes the various topics of food security in India. It also includes the valuable suggestions provided by the author on the issue of food security in India which again can pave the path of the researcher to move further with the research work.

**H.O. Agarwal** in the book titled as ***International Organizations*, (2018)**[68] has discussed about various international organizations. Thus book covers the important information about various organizations as League of Nations, United Nations organization, General assembly, Security Council, Economic and social council, International Court of Justice and various specialized agencies of United Nations. From all these organizations such as FAO Food and Agriculture Organization, WHO World Health Organization etc. are of immense importance for the completion of research work.

**H.G Kulkarni in *Right To Health under the Constitution of India*, (2014)**[69]provides very information on the subject of health. Author discusses the provisions in the Indian Constitution and various other laws on the issue of health. Finally author opines that for the prevention of the threat accruing to human life consumption of wholesome food articles is required.

**Harsh Mander** in the article ***Ending Indifference: A Law to Exile Hunger*, (2012)**[70]**,** focuses on the right to food in India. According to the author the government has failed to assure the proper availability of the food to the masses. The article has noted the non enforceability of the right to food despite it being mentioned in the Indian Constitution.

[67] Gyanindra Dash, et.al.,Sustainable Agriculture and Food Security (2014).
[68] H.O. Agarwal, International Organizations (2018).
[69] H.G. Kulkarni, Right To Health Under The Constitution Of India, All India Reporter, (2014).
[70] Harsh Mander, Ending Indifference: A Law to Exile Hunger, 11 Journal of the National Human Rights Commission. 39, 52 (2012).

Author observes that government agencies must be held liable for the contravention of the food security and nutrition laws.

**H.W. Schultz** in the book titled as ***Food Law Handbook*, (1981)**[71], shares information about the history of American food laws. Other laws associated with the food law of US are also discussed efficiently by the author under this book. The book is of great help for the researcher because it covers the important areas of present research work.

**J.H.C Capoor and J.D.D.Seth** in ***Commentaries on the food Adulteration Act,(1982)***[72] says that adulteration of the food stuff is considered religiously an unpardoned offence and is a menace to public health. Author brings to forth food adulteration as given in the religious books of Hindus. Here adulteration of honey, milk, ghee etc. were common. Author states that the food adulteration has increased and made some concrete suggestions to overcome the problem of adulteration of food stuff. Some easy ways to test adulteration in food stuff are also discussed.

**Jennifer L. Pomeranz, "*Food Law for Public Health*", (2016)**[73]**,** book provides a valuable information on different topics directly or indirectly connected with the aspect of food and food safety. it also shares information on the government of United states, US food health and policy, nutritional guidelines of federal government and that of food and local control of food environment.

**J.N. Pandey, "*Law Of Torts*",(2011)**[74]Tort law deals with the various civil wrongs. Author of the present book has very nicely elaborated the various topics of the Law of Torts such as nature and definition of Torts, general defenses of tort malicious prosecution and relevant rules applicable to see the liability of person in this branch of law. Further in the book the author has elaborately explained the rule of the absolute liability.The Supreme Court's interpretation on the rule of the absolute liability is discussed at length.

**Jessica Vapnek, "*Perspectives and guidelines on food legislation, with a new model food law*",(2005)**[75] Author has very efficiently described the different contexts of food legislations at International and national level. It also has talked about the various organizations at national and international level which deals with the issue of food. The

[71] H.W. Schultz Food Law Handbook (1981).
[72] J.H.C Capoor & J.D.D.Seth, Commentaries on The Prevention of Food Adulteration Act, (1982).
[73] Jennifer L. Pomeranz Food Law for Public Health (2016).
[74] J.N. Pandey Law of Torts (2011).
[75] Jessica Vapnek, Perspectives and guidelines on food legislation with a new food law (2005).

different trends of food including food security, policy, right to food, nutrition and food aid are also mentioned in the book.

**K.V. Ravi Kumar in the article "*Right to Food In India- Whether A Protection Under Fundamental Rights*, (2012)[76],** has covered the aspect of the right to food in India. Author opines that from some decades the large number of peoples have affected around the globe because of the food insecurity. The article covers the different aspects of right to food like its evolution, legislative framework and the judicial interventions. Researcher feels that the present article can be of great help for him as it provides the national and international aspect of the right to food.

**Kaumudhi Challa** in the article **"*Genetically Modified Crops: Challenges of Food Security and Safety, (2011)[77]*** discusses genetically modified food and calls it as a threat to the food safety. She elaborates the genetically modified food crops and their definitions around the world. The author discusses the reasons for the introduction of genetically modified food crop. why these crops were introduced in the agriculture sector. Author clarifies that food security and safety are closely linked. He says that food security can only be ensured if the food is safe for the consumption of mankind and their health. As per author genetically modified food can cause health hazards to humans, it can have its own ethical problems, it can cause the environmental hazards and there are certain trade implications of it. The examples in this regard are also shared by the author. Author suggests that a specific legislation should be enacted to regulate the genetically modified food. This article can be of great help for the researcher because it contains great information on the food safety and compares it with that of genetically modified food.

**Ken Albala** in the book ***"The Food History Reader Primary Sources, (2014)[78]*** traces the history of the food. Author bases the history of food on Indian texts like Taittiriya Upanishad, Mahabharata, Sammadhitti Sutta and Caraka Samhita on ayurveda and medicine. The author discusses the necessity of the food in human life. The book has information on the historical aspect of food which will be helpful in the present study.

[76] K.V. Ravi Kumar, Right To Food In India- Whether A Protection Under Fundamental Rights, 1 Indian Bar Review 39 ( 2012).
[77] Kaumudhi Challa, Genetically Modified Crops: Challenges of Food Security and Safety , Cochin University Law Review (2011).
[78] Ken Albala, The Food History Reader Primary Sources 1 (2014).

**Kiron Prabhakar** in **"*A practical guide to Food laws and regulations*, (2016)[79], ** provides information on the food industry, persons engaged in the food industry, enforcement officers and consumers. It covers the relevant provisions of the FSSAI Act, 2006 including the procedure of the licensing and of registration, working of enforcement officers, impact of FSSAI Act of food industry etc. Further the book provides different examples with the commentary for the effective understanding of the FASSAI Act, 2006. Given the areas related to food security discussed in book, its relevance is beyond doubt in the present study.

**Krishna Arora** in **"*Theory of Cookery*, (2008)[80], ** provided about the value of the introduction to cookery as well as the various others factors of it. Author has also talked in detail about the culinary history of India and that of Australia, New Zealand, Middle East and Indonesia. Furthermore the author has also highlighted the importance of safe cooked or contamination free food in human life.

**Ken Albala** in **"*The Sage Encyclopedia of Food Issues*, (2015)[81], ** contains information on the issue of food and its availability to the masses of different countries of the world. Encyclopedia provides the definition of the food security. Food security as per present encyclopedia pre supposes that food is appropriate, affordable, available and accessible. Encyclopedia also provides that the malnourishment and food insecurity are interconnected with one another. Further the present encyclopedia also contains the topics like population and food access, population and food supply and food security etc.The encyclopedia has valuable information on the issue of food and food security.

**Ken Albala** in **"*The Sage Encyclopedia of Food Issues*, (2015)[82], **provides that right to have adequate food is itself a Human right, but it is realized only if every woman, man and child has economic and physical access at all time to the adequate food. Encyclopedia focuses on the core content of right to food which includes its availability in a quantity and quality able to satisfy the dietary needs of the human beings. The Encyclopedia provides information as to how the right to food was added in the UDHR (Universal Declaration of Human Rights). It also discusses topics like state accountability, civil society participation, hunger and food safety.

[79] Kiron Prabhakar, A practical guide to food laws and regulations 1 (2016).
[80] Krishna Arora, Theory of Cookery, (2008).
[81] Ken Albala ,The Sage Encyclopedia of Food Issues , 3, (2015).
[82] Ken Albala , The Sage Encyclopedia of Food Issues , 2, (2015).

**L. Reddeppa** in **"*Food Security in India*, (2011)**[83] talks about the concept of the food security in India and states that the food security is the basic challenge of the India's progress at present time and it affects the education and right to work. Author quotes U.N Secretary General Ban Ki Moon as nothing is more degrading than hunger, especially when it is man-made. Author discusses the Global Hunger Index and concludes that Sub-Saharan Africa and South Asia are the hunger hotspots. The author has enumerated reasons for the hunger by the author like high domestic food prices, low salary and the increasing unemployment rate. Book also discusses role of PDS for achievement of food security, policy intervention for the achievement of food security and operational mechanism of TPDS in India etc. All these topics are relevant to the present research work.

**M.C. Gupta's "*Health and Law, (2002)*[84]**,** is complete guide for the different persons including activists and professionals dealing with the issue of human health and law. Author discusses the constitutional provisions as well as criminal laws including prevention of Food Adulteration Act related to health in India. The author notes that the problem of food adulteration is on rise in India.

**M S Swaminathan, Pedro Medrano, Daniel J Gustafson and Pravesh Sharma's, "*National Food Security Summit,* (2004)**[85] is the compilation of several papers presented and discussed at the summit on National food security. The book focuses on areas like food security through women's leadership in the village panchayts, Poverty and Hunger in India, Food Insecurity the road too oft trodden etc.

**Manoj Kumar Sinha** in ***Right to Food international & National perspectives*** [86]**,** discusses the importance of food in the Human Life. The author focuses on Article 25 of Universal Declaration of Human Rights which provides Right to food as a basic Human Right and also on the National Food Security Bill, 2013 to which he says still it is pending in the parliament.

**Maithrevi Krishnaraj** in **"*Food security: How and for whom*,(2005)**[87] has compared the Indian situation of the food security with that of world. Author provides that in India even the farmers are not safe and they are not getting enough food for their daily survival.

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[83] L. Reddeppa, Food Security in India 1 (2011).
[84] M.C. Gupta, Health And Law, 1 (2002).
[85] M S Swaminathan, et.al., National Food Security Summit 2 (2004).
[86] Manoj Kumar Sinha, Right to Food International and National Perspectives., 56, JILI. 1,(2014).
[87] Maithreyi Krishnaraj,Food Security :How and for Whom, (Dec.11, 2019, 1:00 PM), https://www.jstor.org/stable/4416779?seq=1 / .

Overall focus of the author lies in the area of food security among the poor people of India.

The present article shows the practical aspect with regard to the issue of food security in India. Article can help the researcher to know the aspect of food security in India during the recent years. The author has highlighted all the grave areas with regard to the issue of food security. The author has failed to discuss the possible ways to tackle the issue of food security to which the researcher deems to be an area to be looked upon.

**M.L. Narasaiah** in "***Poverty and Food Security*, (2006)**[88] has provided a threatening picture of world and country like India on the issue of Poverty and food security. Again the author has commented on the various food securities related schemes including that of green revolution which as per him has failed to satisfy the needs of peoples. Author provides that aim of food for all in our nation has become elusive. Finally author provides that near about 800 million peoples still do not have enough food to serve their daily needs, and many of them suffer from protein and energy deficiencies.

Present book seems to be of great help for the researcher because it covers the global aspect of the poverty and food security. Figures shared by the author on the issue of food insecurity can be of great help for the researcher to move further in the research. Author has failed to share the possible way outs to the menace of food security and poverty eradication to which the researcher thinks an area to be taken care of.

**Mark C. Sanchez** in book "***Food Law and Regulation for Non Lawyers*, (2015)**[89]**,** has discussed the law on food at US. The important topics covered under the book by the author comprises of: Need of food law, History of US food law, overview of the US legal system, food inspection and enforcement agencies at US, misbranding, adulteration, food additives etc. other topics which are covered by the book comprise of personal and private liabilities in case of food related cases.

***NHRC Recommendations on Right to Food*, (2013)**[90] gives recommendations on the right to food, availability of food, PDS and National food security Bill. Thus it emphasis on production of the adequate quantity of food, enlargement of the definition of the food, calorie intake, periodic social audit of food schemes, reform of PDS, sufficient quantity of food, availability of it to all at all times, transparent distribution, production, community

[88] M.L. Narasaiah, Poverty and Food Security (2006).
[89] Mark C. Sanchez , Food Law and Regulation for Non Lawyers., (2015).
[90] NHRC, NHRC Recommendations on Right to Food , 12 Journal of the National Human Rights Commission. 267, 269 (2013).

supervision of nutrition programmes, awareness generation on nutritional requirements, fixation of accountability of nutrition programmes and that of curbing of the malnutrition by addition of Vitamins protein, energy etc. in it. The present article is of great help for the researcher because it provides healthy information on the issue of balanced diet and nutrition suggested by the organization which is directly concerned with the different human rights in India.

**N.C. Saxena** in the article **"*Right to Food Security in India*", (2013)**[91] provides an insight into consistent food insecurity in India. According to Author India is consistently performing well in the economic growth, but it is unfortunate that it is still facing the food insecurity problem. He analyses the figures of different organizations at the national and international level including that of Planning Commission, UNDP, FAO and that of Global Hunger Index report etc. Again he has focused on the different government schemes as: PDS, Antyodya, for the judgment of their actual working. Article discusses various provisions of the Food Security Act, 2013. Author opines that food ministry should be given the ownership on the food. The present study is of good help for the researcher because it shares different figures on the issue of food insecurity and malnutrition.

**Neal D. Fortin, "*Food Regulation Law, Science, Policy, and Practice*", (2016)**[92]**,** this book provides a detailed information on the various food laws & regulations of United States which are in practice. Book also contains history on different food safety laws and regulation of United States. Author has effectively covered all the laws, rules & regulations with a shorter commentary. Thus the book contains information with regard to various statutes, rules and regulations dealing with food safety at United States.

**N.S.Parmar, "*Health Education and Community Pharmacy*", (2017)**[93]**,** the present book is based on the importance of nutrition and health for a human being. The Author has defined these concepts in a very scientific manner by providing a classification for that. Further he has talked about the food which causes fat, obesity and the weight gain. Author has discussed about various diseases which can happen in the lack of a per day energy intake. Furthermore Author has also talked about the possible solutions to these

[91] N.C. Saxena, Right to Food Food Security in India , 12 Journal of the National Human Rights Commission. 85, 109 (2013).
[92] Neal D. Fortin, Food Regulation Law, Science, Policy, and Practice (2016).
[93] N.S.Parmar, Health Education and Community pharmacy (2017).

diseases. Finally the Author has discussed about the need of the carbohydrates, vitamins, minerals etc. for a human being.

The Article is of immense importance for the present researcher because it has talked about the intake of the energy from food and various consequences of non intake of it.

Author has failed to discuss about the safety of the food and has talked much on the need of the Vitamins, minerals and the various diseases and their possible solutions only to which the researcher feels an area to be looked upon.

**Onsando Osiemo** in his book ***Food Safety Standards in International Trade*, (2017)[94],** shares valuable information on the food safety standards in the international trade field. Author is of view that food safety is a fundamental right and it is clearly comes from other fundamental rights namely: human dignity, right to consumer's protection, health protection and right to life. Book also shares how the European continent woke up on the news of widely published food-borne outbreaks in the year 2011.

The author draws attention of the readers to WTO Members SPS standards and their food safety standards. It is safe to conclude that this book can be of great help for the researcher as it covers the aspect of the food safety from the angle of the International Trade and the serious related laws.

**Patricia A. Curtis , "*Guide to US Food Laws and Regulations*, (2013)[95],** in this book the author has provided a efficient elaboration to the Food laws and regulations of United States. Author has thus covered the topics like introduction to the United States food law, History of US food law, various topics associated with food law of US and about the genetically modified food crops and its impact on food. In addition to this the author has covered the topic of HACCP (Hazard Analysis and Critical control point) like topic and its application to judge the safety of food.

**P.M. Bakshi** in the article ***Right To Nutrition*, (1995)[96],** talks about the necessity of the nutrition in human life particularly on children. As per him the subject of nutrition has its many facets and thus it covers the legal, economic, social and medical facets in it. Author is of view that food is not only source of nutrition but the water is also equally necessary. Further he has shared the information with regard to the various conventions talking on the issue of rights of child. For this he has quoted the U.N Convention on the rights of

[94] Onsando Osiemo, Food Safety Standards in International Trade (2017).
[95] Patricia A. Curtis , Guide to US Food Laws and Regulations (2013).
[96] P.M. Bakshi, Right To Nutrition, 37 Journal Of The Indian Law Institute, (1995).

child and its various provisions. Final arguments of the author lie in the area of the enactment of the separate nutrition laws for the better justification of the right to nutrition.

**Peter Uvin, "*The International Organization of Hunger,* (1994)**[97] Present book has examined hunger and its effects on the incidence of hunger. Further the book has analyzed the international organization of hunger. Book has also covered the different other disciplines such as: rural development, international finance, demography, economics and the issue of trade and development. Author has covered the things which were then discussed at the world food conference at Rome where the world leaders from across the globe were gathered for the discussion. For the better understanding the author has covered the interpretation to the word hunger and the various organizations which deals with it including FAO (Food and Agriculture Organization). Again the book has covered the table showing the rate of the undernourished peoples in different continents of the world including that of Africa, Asia, Latin America, and Near East etc. Study with regard to income and caloric intake in India and Sri Lanka is also covered in the book. Finally the author has concluded the whole book in which he says that: Earth is capable of feeding many more human beings than it actually does.

This book can be of great importance for the researcher because it had studied the issue of food insecurity from a different shape which links it to unemployment and poverty. Researcher also feels that the study done by the author is somehow old and a lot of variation can now be seen mainly on the data of undernourishment provided by the author of this book.

**Pulkit Mathur, "*Food Safety and Quality Control*", (2018)**[98]**,** Author in this book has focused on the methods of the quality control and the food safety. He discussed the risk of eating the contaminated food and discloses factors which are responsible for the contamination of the food. Further the Author discusses food adulteration and the need of the sanitation and hygiene in the food industry. The present book has also covered the food regulations made at the national & international level. Present book is of great importance in the present study because it has dealt with the issue of the food safety in a very comprehensive manner. Author has covered the aspect of the food safety more scientifically apart from discussing the relevant laws.

[97] Peter Uvin, The International Organization Of Hunger (1994).
[98] Pulkit Mathur,Food Safety and Quality Control (2018).

**P.M.Bakshi, "*Right to Nutrition,* (1995)[99],** The present article has focused on the right to nutrition in India. Author analyses the subject of the nutrition from different angles which includes legal, economic, social and medical. He focuses on the right to safe and hygienic nutrition particularly for children. This article focuses on the nutrition safety and the child rights to have safe and nutritious food. Information provided by the author is very good and it touches all the important areas of nutrition.

**Pradeep Chaturvedi, "*Food Security in South Asia,* (2002)[100]** The present book is the compilation of the various research papers published by the Indian Association for the advancement of Science New Delhi on the issue of food security in South Asia. Author says that the Asia Pacific zone falls under the global demarcation of FAO (Food and agriculture organization).This book provides that most of the food insecure people live in villages. Most of the Asian countries are still developing. Here the problem of food insecurity is on rise. Book focuses on the solution to the problem of food insecurity to which it says that this can only be ensured if there is a active involvement of N.G.O's and the civil society organizations. The important topics covered in the book includes: Food security issues, Hunger and poverty, Right to food, FAO and food security etc.

This book can be of great help for the researcher because it contains the various important issues on food insecurity. Researcher feels that the data provided in the book is somehow old and presently many changes have been occurred in the area of food security because of the various schemes of the government in this regard.

**Pallavi Arun Verma, "*Food Safety on every menu in India,* (2017)[101]** In the present article author has talked about the recently changing eating habits of the public of India. Author believes that because of the population explosion and rapid urbanization demand for the packaged food has raised to such a level that the food safety has been lowered down. The author's concern also covers the various efforts made by the FASSAI on the issue of food safety in the country. Writer believes that there is a need of awareness of the consumer if we are looking for a way forward on this issue. Further the author has talked about the responsibility of the food brands to provide the safe packaged food to its consumers.

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[99] P.M. Bakshi, Right to Nutrition, 37 JILI. 263, (1995).
[100] Pradeep Chaturvedi, Food Security in South Asia (2002).
[101] Pallavi Arun Verma, Food Safety: On every menu in India, (Jan.21 , 2020, 1:51 PM), https://economictimes.indiatimes.com/tetra-pak/tetra-pak-articles/food-safety-on-every-menu-in-india/articleshow/61067569.cms?from=mdr .

**Parvinder S. Bali, in** his book **"*Theory of Cookery*, (2018)[102], ** has provided detailed information on cookery. Book also covers the historical aspect of starting of cooking around the world. The other topics covered by the author includes introduction to cookery, aims and objective of cooking food and methods of cooking safe food.

**Radha Sinha,** in book **"*Food and Poverty*, (1976)[103], ** has raised the issue of the food and poverty by sharing such detail with regard to the various developing countries of the world including India. As per author no government can become successful in the eradication of the issue of food and poverty unless the bureaucratic machinery will supplement in this regard. Book also provides insight into the nature of the world food problem. He also talks about the famine deaths that occurred in India during recent years. For eradication of the issue of food shortage and poverty author wish for the implementation of equal opportunities for employment and food.

This book can be of immense importance for the researcher because it comprehensively covers the two major issues of the present day world namely: Food availability and poverty eradication.

**R.D Agarwal,** in ***Commentary on Food Adulteration Act, (1977)[104]*** has called Food Adulteration as a big menace to the public health. To support this contention he has provided different decided cases of Supreme Court and High Court. Author says that it is the duty of the administration and of judiciary to safeguard the citizens from such evils. Author believes the Prevention of Food Adulteration Act as consumer legislation. Author is of opinion that the criminal law maxim of 'De Minimus Non Curat Lex' inapplicable in the food adulteration cases because Act notices even a smaller variation in the standards of food quality. Further the author has analyzed the liability fixed by the Act to which he says that Prevention of Food Adulteration Act, 1954 works on the motto of Absolute liability. Present Article will be of great help for the researcher because it covers the aspect of the liability fixation in the food adulteration cases. Author's study of the present Article is very old i.e of 70's. It can be said that Many changes have occurred that in the area of food adulteration which relates to contamination of food articles and methods to curb this menace.

[102] Parvinder S. Bali, Theory of Cookery (2018).
[103] Radha Sinha, Food and Poverty (1976).
[104] R.D. Agarwal, The Prevention of Food Adulteration Act 34 (1977).

In ***Right to Food*,(2019)[105],** Author says though food is a basic right of everyone, there are 800 million people currently who are suffering from chronic hunger. While discussing the role of food agency worldwide i.e. Food and Agriculture Organization (FAO), author concludes that it the responsibility of FAO (Food & Agricultural Organization) to look into the policy framework on the issue of food to acheive.

Further Author says it the responsibility of International Law to enhance the stakeholder's dialogue, reduction of hunger and of food and nutrition security as the protection of Right to Food is very important for maintenance of human dignity and Rule of Law.

Present Article is of immense importance for the researcher because it justifies the Right to Food by calling it a basic human right. Author has effectively connected Right to food with the worldwide food agency i.e. Food and Agricultural organization. Author has although provided the working style of Food and Agricultural Organization (FAO),but he fails to mention his own suggestion's for achievement of Zero Hunger, to which the present researcher feels an area to look into.

**RS Paroda,** in **"*Towards Food Secure India*", (2002)[106],** compiles the proceedings of the 88th session of the Indian Science Congress held in December 2001. Book calls the agriculture sector as the backbone for the India's food, ecology and livelihood. Further the book covers the major threats to our agricultural sector including quality and productivity has covered the important aspects with regard to the food security namely: future production increase in food crops, processing and value addition of crops, meat processing and its quality enhancement, information technology for food and nutrition, atomic energy and food security, community participation etc. Furthermore the issues like: Agricultural science for food and environment, status of India's food security, WTO advantages to Indian Agricultural sector etc. are also very nicely elaborated. Present book is of immense importance for the researcher because it covers the variety of topics related to the food security which are very scientific and noteworthy. Authors has mainly discussed the issues and challenges but has failed to provide any suggestions or ways of improvement.

**Radomir Lasztity, Marta Petro Turza and Tamas Foldesi** in article ***"History of Food Quality Standards", (2004)[107],*** has talked about the world history of food law. This

[105]Food and Agriculture Organization of United Nations Right to Food (Jan. 20, 2020, 7:20 PM), http://www.fao.org/policy-support/policy-themes/right-to-food/en/ .

[106] RS Paroda & Anupam Varma , Towards Food Secure India (2002).

[107] Radomir Lasztity, et.al., History of Food Quality Standards, Encyclopedia of Life Support Systems (EOLSS), (2004).

history of food law mainly covers early food history, Middle Ages, history after the industrial revolution of 19th century and 20th century. The important international situation and perspective of food quality standards are also covered by the authors.

**Ronald H. Schmidt and Gary E. Rodrick,** in ***Food Safety Handbook*, (2003)[108],** has nicely elaborated the different concepts of food safety like: Definition of food safety, food hazards, and characteristics of biological hazards in food. Again the book also highlights and discusses the topics like: food safety operations in food processing, handling and distribution. Book also helps to understand the worldwide food safety issues.

**Rattan Singh and Jai Mala,** in ***Socio Economic and Cultural Issues of Child Rights in India*, (2021)[109],** which is a edited book has talked about various socio, economic and cultural issues faced by children of India. Apart from the other chapters of the book chapter number II of the book has given special focus to the role of healthy and nutritional food for the children which are also considered as the future of any nation. This chapter will thus help the researcher to look into the necessity of healthy and safe food in children life.

**Ratanlal and Dhirajlal,** in **"*The Law of Torts*, (2012)[110],** apart from other topics covers the principles of strict and absolute liability from which one can have a vast idea on the fixation of the liabilities under the tort law. As per author the rule of absolute liability is more stringent than the earlier rule of strict liability. Further author traces the evolution of rule of absolute liability in India. The present book especially the topic of the rule of Strict and Absolute liability is of great importance for the researcher. Although the author has discussed the rule of absolute liability very nicely but he up to certain extent fails to give his own conclusion/ suggestions on the rule to which the researcher deems an area to be taken care of.

**R.K.Bangia,** in **"*Law of Torts*, (2010)[111],** discussed the rule of Absolute liability for which he says that it was indeed a landmark decision taken by the Apex Court. Again the author has discussed the observations made by the judges while formulating this rule. Finally the author calls the Rule of Absolute liability as fully justified rule because it is backed by the justification Apex court of India.

Present book through its various topics such as Rule of strict and absolute liability are of great importance for the researcher because it provides a healthy interpretation on it.

[108] Ronald H. Schmidt & Gary E. Rodrick, Food Safety Handbook (2003).
[109] Rattan Singh & Jai Mala, Socio Economic And Cultural Issues Of Child Rights In India (2021).
[110] Ratanlal & Dhirajlal, The Law of Torts (2012).
[111] R.K.Bangia, Law of Torts 22 (2010).

Author has ignored the area of his own interpretation on the rule of Absolute liability to which the researcher thinks as an area to be covered up.

**Ravulapti Madhavi, "*Is Food Safety Lurking in The Food Safety And Standards Act 2006*, (2008)[112],** Article provides a deep analysis of the Food Safety And Standards Act, 2006. Author calls the food as a synonymous word of life. He focuses on the availability of the safe and unadulterated food. He shares some threatening figures of the different food surveys which show the clear picture of unsafe food. Some of these are: The survey on the food poisoning scenario of U.K of the year 2005 in which 79,283 cases of food poisoning were found. Further the focus of the article lies on the various unsafe food judgments in which it has called the right to have nutritious food as a part of Article 21 of the Indian Constitution. The figures related to contamination found in the Indian food items are also shared. For Example: Contamination of mustard oil which killed thousands of people in the north Indian states. Furthermore the author brings out at the silent features of the FSS Act 2006. The areas of the concern left unaddressed are also discussed by the article which includes: inclusion of both organized and unorganized sectors, process of recalling of the food products, no specific standards with regard to potable waters etc. Overall focus of article thus lies in the proper execution of the FSS Act, 2006. Researcher presumes that because of the deep rooted observation, this article can be of great help for him. The figure of food poisoning happened in India and across western nations is of great help.

**Sudip Chakraborty, "*Food Security and Child Labour* , (2011)[113],** Present book has focused on the issue of Food security and child labour. Author at the very outset has talked about the utility of the food. As per author food security which also means access to the food for the people at all time has no relation with the available food stock or its production. Author has firm belief that the poverty and the food insecurity have a strong co-relation. Again the author has focused on the various theories and principles given on the issue of food insecurity by the Nobel laureate from India Mr. Amartya sen. Book also covers the various topics like: Right to food, earlier studies on food insecurity, child labour, fear of insufficient food supply, unemployment and running out of food.

Present book is of great importance for the researcher as it had studied the issue of food security from a different angle and has liked it with the poverty and child labour.

[112] Ravulapti Madhavi, Is The Food Safety Lurking In The Food Safety And Standards Act, 2006, 4 Supreme Court Journal. 17, 20 (2008).
[113] Sudip Chakraborty, Food Security and Child Labour (2011).

Researcher also feels that the present book fails to cover the conclusions and suggestions for the further improvement on the discussed issue. Researcher will thus try to cover his own suggestions after going through the relevant material on the issue of food safety in India.

**Shreedhar Purohit and Kashinath Joshi,** in ***Supreme Court on prevention of Food Adulteration Law in India(1973)***[114]**,** talks that evil of Food Adulteration is on rise in India, which has resulted the serious health hazards and menace to public health. Author in this article has effectively covered the various legislations and their development particularly laws on Prevention of Food Adulteration. The author has says that Central idea of judicial theory is not lex (law) but Jus (the Law).Author calls the definition of Prevention of Food Adulteration Act a good one because it also has covered flavoring matter in it. He has quoted some important judgments of Supreme Court of India on the issue of Food Adulteration.

**S.S.S Chauhan, Partiyogita Darpan** ***Poverty: Concepts and measurements, (2019)***[115]
This Article is focused on the status of poverty in India and at global level. Author provides the criteria for measuring food poverty viz- Capability perspective, Basic perspective and the Income perspective.

Present Article will help the researcher because it calls poverty as a basic reason of Food unavailability

**Sudha Narayanan,** in **"*Food Security in India: The Imperatives and it's challenges"(2015)***[116]**,** says that India till day is facing the burden of malnutrition which includes the co-existence of inadequate calorie intake, under nutrition and excess intake of dietary energy leading to obesity and health related issues report made by National Family Health Survey in the year 2006, as per which there is a wide range of under nutrition persons in India.

Further Author has provided the definition of Food Security to which he says that it is a situation when all peoples at all times have physical, social and economic access to sufficient, safe and nutritious food which can meet with their dietary needs and healthy life. Furthermore Author has also compare India and China on the issue of Food Security to which he ultimately says that there is a perception that China has by and large, solved

[114] Shree Dhar Purohit & Kashi Nath Joshi, Supreme Court on Prevention of Food Adulteration Law in India (1973).
[115] S.S.S Chauhan, Poverty: Concepts and Measurements , (2019).
[116] Sudha Narayanan, Food Security in India: The Imperative and Its Challenges, (Jan. 20, 2020, 7:28 PM), https://onlinelibrary.wiley.com/doi/full/10.1002/app5.62 / .

its food problem whereas India is still lacking behind. Present Article is helpful for the researcher because it shares the data regarding the issue of food security. It also provides the comparison of India with other neighbor countries which is also a helping hand for the researcher. Author fails to share suggestions on the issue of food security to which the researcher feels an area to focus.

**S.N. Mahindru, "*Food Additives", (*2015)[117],** Book focus on the use of food additives in modern day food items. It analyses the use of such food additives via discussing the prescribed legal norms and through scientific process. Thus the book discusses the various components of the food additives including preservatives, food colours, flavoring agents, antioxidants, vitamins and minerals.

**Susan Keenan, "*Food Safety Policy and Regulation in the United States", (*2015)[118],** The book shares valuable information on the food safety system of United States of America. It covers the information with reference to the system of food production, import and export at USA. It also covers information on various US (United Sates) food agencies such as USDA (U S Department of Agriculture), CDC (Centre for Diseases Control and Prevention) FVM (Office of Food and Veterinary Medicine) Etc. Again the book highlights the current food safety system at USA with necessary facts and figures.

**Saurabh Arora, *"Food Regulations-What is the Current Scenario in India"*(2015)[119],** The main Focus of this Article lies on the FSSAI (Food Safety and Standards authority of India) and on the F.S.S (Food Safety and Standards) Act, 2006, that has categorized food products into standardized and Non Standardized Food, which demand different procedures to follow for License and other related things.

Furthermore in this Article the Author has discussed new sections of FSS Act, 2006 which as per him are very good to deal with the issue of food safety. Present article is of immense importance for the researcher because it has talked about the new FSS Act, 2006. Author in the present Article has failed to discuss loopholes of the new FSS Act, 2006 to which the researcher feels an area to be covered.

**S.N. Mahindru, "*Food Safety Concept and Reality", (*2015)[120],** the present Book is based on the safety of the food. Author has compared the traditional methods of food preparation with that of the present time, to which he says that traditionally food

[117] S.N .Mahindru, Food Additives (2015).
[118] Susan Kennan Stephen Spice et.al., Food Safety Policy and Regulation in the United States (2015).
[119] Saurabh Arora, Food Regulations What is the Current Scenario in India , (Jan. 20 , 2020, 7:32 PM), https://www.foodqualityandsafety.com/article/food-regulations-what-is-the-current-scenario-in-india-2/
[120] S.N .Mahindru, Food Safety Concept and Reality (2015).

preparation was done at home and its consummation was done in the shortest possible time. But now ready to eat food is available in the market which is a threat to the food safety and its quality. Further in the Article Author has discussed some of the rules which provide the definitions and quality of the food. Finally the Author has provided the safety of India foods for exports, to which he says that food exports from India to foreign countries including USA are black pepper and shrimps. Furthermore Author has provided that both commodities are under automatic detention because of contaminants.

The present Book of the Author is of immense importance for the researcher because it has effectively described every safety related issue of food sector.

Author has focused more on the Prevention of Food Adulteration Act, 1954, by ignoring the FASSAI (Food Safety and Standards Act, 2006), to which the researcher feels an area to be looked upon. Present researcher will cover the important provisions relating to food safety provided in the FASSAI (Food Safety and Standards Act, 2006)

**Sunitra Roday,** in **"*Food Hygiene and Sanitation*", (2015)[121],** has not only discussed on food hygiene, sanitation and the agencies and laws relating to it but also Codex Alimentarius (meaning food code or food book in Latin) created by FAO and WHO for the development of the food standards and the programs.Indian standards of Food safety are based on the Codex Alimentarius.

Author has incorporated the various news reports on food adulteration. He has also discussed the quality standards as ISO 9001:2008, ISO 14001: 2004 and ISO 22000:2005 for the Food Safety Management System.

**Sam F. Halabi, "*Food and Drug Regulation in an Era of Globalized Markets", (2015)[122],** Book talks about regulation of food and drug in present era of world market. Topics covered under the book very well explains regulation and governance of world pharmaceutical supply, human clinical trials, drug approvals, Narendra Modi's government and its impact on Indian pharmaceutical sector etc. it also covers the topics like China food and Drug administration, global sources of food, protection of customers through US Food safety Modernization Act and that of private regulation of food safety etc.

**S.N. Mahindru, "*Food Preservation and Irradiation", (2015)[123],** Book highlights the process of food preservation and irradiation. Author provides that these are the processes

[121] Sunetra Roday, Food Hygiene and Sanitation (2015).
[122] Sam. F. Halabi, Food and Drug Regulation in an Era of Globalized Markets (2015).
[123] S.N. Mahindru, Food Preservation and Irradiation (2016).

which are used for the safety of food from microorganisms. Again he provides that although this is a safe process yet different misconceptions on this exists.

**Sunitra Roday,** in his book on ***"Food Science and Nutrition"*, (2018)[124],** has provided information on the science of food and different nutrition required in day to day food items. This book covers valuable information on the topics like: food science, nutrition and Food Safety. Information with regard to balanced diet and new food trends are also included in the book. Author has thus covered all the information on nutrition and food safety in a very scientific manner.

**Swarna S. Vepa and R.Rukmani, "*Food Insecurity Atlas of Urban India*", (2002)[125],** This book is a Food Insecurity Atlas of urban India covering the long term problems of food insecurity. Book urges to take the bold actions for the eradication of the hunger from our nation. Present book is of great help for the researcher because it provides a clear picture through graphs on the issue of Food insecurity. Author has failed to discuss the possible solution to the problem of the food insecurity to which the researcher thinks is an area to be worked upon.

**Sukhneet Suri and Anita Malhotra, "*Food Science Nutrition and Safety*", (2013)[126],**Authors in the present book have discussed interdisciplinary aspect of the Food Science, which includes food physics, food microbiology, Food biotechnology and the food chemistry etc. The book focuses on the safety standards to be followed while preparation of the food. This book can be of great help for the researcher to know the safety requirements of the food industry.

**S.P. Singh, "*Law of Tort,* (2012)[127],** the present book discusses about the topics of the strict and absolute liability. The Author has talked about the contribution made by the judges who participated in the decision making for the rule of absolute liability especially of Justice P.N.Bhagwati who on that time said that law can't be allowed to stay static so it is better to change the old rule namely the rule of strict liability.

The whole book written by the author can be a great helping hand for the researcher because it covers all the necessary topics with regard to the law of tort especially the two important rules namely the rule of Strict and absolute liability.

[124] Sunetra Roday, Food Science and Nutrition (2018).
[125] Swarna S. Vepa et.al., Food Insecurity Atlas of Urban India (2002).
[126] Sukhneet Suri & Anita Malhotra, Food safety Nutrition and Safety (2013).
[127] S.P. Singh, The Law of Tort 6 (2012).

**S.R. Myneni, "*Law of Torts and Consumer*, (2012)[128],** The book covers the topic of rule of Absolute liability nicely by calling it liability without fault. Author appreciates the rule by saying that it is much stronger than the rule of strict liability because this rule provides no exceptions for it. Further he adds that rule is also good because it don't provide any chance to escape for the defendant. Again the Author has covered the scope of the rule of absolute liability under the different other Acts and difference between the rule of Strict and Absolute liability.

The whole study done under the present book can be of great help for the present researcher especially the rule of Absolute liability.

**S.K.Kapoor, "*Law of Torts*, (2010)[129],** The book has covered the rules of strict and absolute liability in detail. On absolute liability the author has discussed about the case in which the rule was originate. Again author has appreciated the Apex court's decision through which the rule of Absolute liability was formulated. Overall the author has showed great regard to the decision of our apex court for the formulation of the rule of Absolute liability.

Present book seems of great importance for the researcher because it provides healthy commentary on the rule of absolute liability.

**S. Ramaswamy and L. Surulivel, "*Food security in India*, (2017)[130],** the present book calls nutritious food as the basic right of every human being. Book also provides the detail concerning years during which the call for the right to food and of the hunger was more argued. Author has also covered the historical world food summit of Rome which was held in the year 1996. Through this book the Author has also examined the various government food security schemes such as: MDM (Mid day meal), PDS (Public Distribution System) and the MGNREGA (Mahatma Gandhi National Rural Employment Guarantee Act). The study done under the present book reveal the real beneficiaries of the above stated government outcomes.

Present book is of immense importance for the researcher as it covers the important area of the food security in our country namely: Government schemes and actual beneficiaries of these schemes.

[128] S.R. Myneni, Law of Torts & Consumer 1 (2012).
[129] S.K.Kapoor, Law of Torts 8 (2010).
[130] S. Ramaswamy & L. Surulivel, Food security in India (2017).

**Seema Singh, "*Menace of Hunger vis a vis Right to Food: A Constitutional Perspective*, (2009)**[131]Present article has specifically focused on right to food and the menace of hunger in India. Author provides that the right to food covers the ability to feed oneself. Again author has focused on the various international food summits including the Rome summit which was organized by food and agriculture organization where the gathered nations again took a pledge to curb the menace of the unsafe food and hunger. Author has also shared the exact meaning of the right to food to which he says food means the adequate food for the descent standard of life. Further the author has shared the serious of Supreme Court decisions in which it has interpreted and provided on the right to have safe food. Author calls the right to food an international perspective. Author has shared the figures of the M.S. Swaminathan Research Foundation which serious ally has warned the nation on the issue of food security

Author provides that no right has any meaning if starvation strikes. Through this wording he tells that the process of implementation of the right to have food is still very slow. Author has nicely covered all the grave areas of right to food and its constitutional perspective but has failed to provide his own suggestions and conclusions to which the researcher feels an area to be looked upon.

**Saurabh Arora, *"Food Regulations-What is the Current Scenario in India"*(2015)**[132]**,** The main Focus of this Article lies on the FSSAI (Food Safety and Standards authority of India) and on the F.S.S (Food Safety and Standards) Act, 2006 that has categorized food products which demands different procedures for License and other related things.

Furthermore in this Article the Author has discussed new sections of FSS Act, 2006 which as per him are very good to deal with the issue of food safety. Present Article is of immense importance for the researcher because it has talked about the new FSS Act, 2006. Author in the present Article has failed to discuss loopholes of the new FSS Act, 2006 to which the researcher feels an area to be covered.

**S.N. Mahindru, "*Food Safety Concept and Reality", (*2015)**[133]**,** the present Book is based on the safety of the food. Author has compared the traditional methods of food preparation with that of the present time, to which he says that traditionally food preparation was done at home and its consummation was done in the shortest possible

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[131] Seema Singh, Menace of Hunger vis a vis Right to Food: A Constitutional Perspective, 45 JILI. 1,(2009).

[132] Saurabh Arora, Food Regulations What is the Current Scenario in India , (Jan. 20 , 2020, 7:32 PM), https://www.foodqualityandsafety.com/article/food-regulations-what-is-the-current-scenario-in-india-2/

[133] S.N .Mahindru, Food Safety Concept and Reality (2015).

time. But now ready to eat food is available in the market which is a threat to the food safety and its quality. Further in the Article Author has discussed some of the rules which provide the definitions and quality of the food. Finally the Author has provided the safety of India foods for exports, to which he says that food exports from India to foreign countries including USA are black pepper and shrimps. Furthermore Author has provided that both commodities are under automatic detention because of contaminants.

The present Book of the Author is of immense importance for the researcher because it has lucidly described every safety related issue of food sector.

Author has focused more on the Prevention of Food Adulteration Act, 1954, by ignoring the FASSAI (Food Safety and Standards Act, 2006), to which the researcher feels an area to be looked upon. Present researcher will cover the important provisions relating to food safety provided in the FASSAI (Food Safety and Standards Act, 2006)

**Sunitra Roday, "*Food Hygiene and Sanitation*", (2015)[134],** has not only discussed food hygiene, sanitation and the agencies and laws relating to it but has talked about the Codex Alimentarius (meaning food code or food book in Latin. Author incorporated various news reports on the cases of food adulteration.Thus this book can assist the researcher in his work.

**Swarna S. Vepa and R.Rukmani, "*Food Insecurity Atlas of Urban India*", (2002)[135],** This book is a Food Insecurity Atlas of urban India covering the long term problems of food insecurity. Book urges to take bold actions for the eradication of the hunger from our nation. Present book is of great help for the researcher because it provides a clear picture through graphs on the issue of Food insecurity. Author has failed to discuss the possible solution to the problem of the food insecurity to which the researcher thinks is an area to be worked upon.

**Sukhneet Suri and Anita Malhotra in "*Food Science Nutrition And Safety*"(2013)[136]** have discussed interdisciplinary aspect of the Food Science, which includes food microbiology, food physics, food biotechnology and the food chemistry etc. The book focuses on the safety standards to be followed while preparation of the food. This book can be of great help for the researcher to know the safety requirements of the food industry.

[134] Sunetra Roday, Food Hygiene and Sanitation 2 (2015).
[135] Swarna S. Vepa et.al., Food Insecurity Atlas of Urban India (2002).
[136] Sukhneet Suri & Anita Malhotra, Food safety Nutrition and Safety (2013).

**S. Ramaswamy and L. Surulivel in "*Food security in India*, (2017)[137],** has discussed about the historical world food summit. The Author has also examined the various government food security schemes such as: MDM, PDS and the MGNERGS. The study done under the present book also reveals the real beneficiaries of the above stated government schemes.Present book is of immense importance for the researcher as it covers the important area of the food security in our country namely: Government schemes and actual beneficiaries of these schemes.

**Seema Singh, "*Menace of Hunger vis a vis Right to Food: A Constitutional Perspective*, (2009)[138]**Present article has specifically focused on right to food and the menace of hunger in India. Author provides that the right to food is in itself covers the ability to feed oneself. Again author has focused on the various international food summits including the Rome summit which was organized by food and agriculture organization where the gathered nations again took a pledge to curb the menace of the unsafe food and hunger. Author has also shared the exact meaning of the right to food to which he says food means the adequate food for the descent standard of life. Further the author has shared the serious of Supreme Court decisions in which it has interpreted and provided on the right to have safe food. Author calls the right to food an international perspective. Author has shared the figures of the M.S. Swaminathan Research Foundation which serious ally has warned the nation on the issue of food security

Author provides that no right has any meaning if starvation strikes. Through this wording he tells that the process of implementation of the right to have food is still very slow. Author has nicely covered all the grave areas of right to food and its constitutional perspective but has failed to provide his own suggestions and conclusions to which the researcher feels an area to be looked upon.

**Suman Gupta and Shridul Gupta in *Right to Health-Law Government & Public Health (2014)*[139]** focus on the Universal Declaration of Human Rights, 1948 which discuss that every human being is entitled to adequate standard of health including that of clothing, medical care and food. Other conventions discussed by the article includes: International Convention on Economic Social and Cultural Rights 1966, Convention on the Elimination of All forms of Discrimination Against Women, 1979 etc. Author has

[137] S. Ramaswamy & L. Surulivel, Food security in India (2017).
[138] Seema Singh, Menace of Hunger vis a vis Right to Food: A Constitutional Perspective, 45 JILI. 1,(2009).
[139] Suman Gupta & Shridul Gupta, Right to Health- Law Government & Public Health , 1&2 Nyaya Deep. 56, 68 (2014).

also covered the different Supreme Court cases in which it has provided commentary on the public health and nutrition etc. Last but not least article has provided information on the different challenges which the government is facing in present including that of: infectious diseases, maternal and child health and food safety. On food safety author provides that there is a challenge of dietary patterns, reducing of risk of chronic diseases and application of the new information in the field of nutrition etc.

**The Hindu Editorial, *Food for action: On Food Security in India (2017)*[140].** The Author in this article has specifically focused on directives of Supreme Court for a better access under the Food Security . He is dissatisfied because of non implementation of the Act by the state governments across the country as only some states have implemented PDS successfully. Author is of the opinion that courts role can only make the National Food Security Act, 2013 a successful legislation. Present Article is helpful for the researcher because it shows the practical working of the National Food Security Act, 2013 in different Indian states.

**Vaish Associates *Laws Governing the Food industry in India revisited,(2013)*[141],** Authors in the beginning has called the food processing industry as one of the largest industry of India. Authors have focused on all the food related laws including The Prevention of Food Adulteration Act 1954. Further Author says that The Prevention of Food Adulteration Act, 1954 was changed due to varied reasons of Indian food industry. Further Authors focus lies on the Food safety and standards Act, 2006 which has repealed the bulk of legislations prevailing in the Indian food industry. Author has also focused on the new food law i.e Food Safety and Standards Act, 2006(FASSAI) by emphasizing on some of its basic features. Author is of opinion that FSS (Food Safety and Standards Act is more scientific and workable because it controls the whole process of food from manufacture to distribution. So it is realized that the overall focus of the Author lies on the food laws especially the Food Safety and Standards (FSS), Act 2006 to which after comparison he calls more appropriate and correct.

Present Article will help the researcher to look into various food legislations and especially on Food Safety and standards Act, 2006. Author in this Article has nowhere

[140] The Hindu,Food for action: on food security in India, (Jan. 20 , 2020, 7:36 PM), https://www.thehindu.com/opinion/editorial/food-for-action-on-food-security-in-india/article19452387.ece / .

[141]Vaish Associates, India:Laws Governing The Food Industry In India –Revisited (Jan. 20, 2020, 7:40 PM), http://www.mondaq.com/india/x/244880/food+drugs+law/Laws+Governing+The+Food+Industry+In+India+Revisited / .

talked about the loopholes of Food Safety and Standards Act, 2006 to which the present researcher feels an area to work upon.

**Vandana Prasad, *Children's Rights to Food: Constitutional Legal Protection and Nutritional Empowerment,* (2013)[142],** This article focuses on the children's right to food as per the Indian Constitution and raises voice for their nutritional empowerment. Author says that although the children falls in such a group to which everyone love and care but then even they are time and again made the victims of abuse and neglect because of the undernourishment of food. Article shares that we the Indians are still not well aware about the nourishment requirements of the children. Again he shares a complete paragraph in which he explains the nutritional requirement of different age group of children. Different organizations which deals with the issue of the children and their nutritional requirements at the international and national level is also provided by author which includes the organizations like: UNICEF, Sixth pay Commission recommendations, National Food Security Bill, 2013 and the Union budget of 2013-2014 etc. The article is of immense importance for the present research work because it shares valuable figure on the issue of food security and nutrition among the children of India.

**Vikas Singh and Subhadip Majumdar, "*Text Book of Food Production*",(2011)[143],**Author of the present book has emphasized on the food hygiene, sanitization & safety. Further this book covers the guidelines to prepare the day to day food items as vegetables, fruit, breakfast and the milk and milk products etc. Author has elaborated on the food safety and hygiene in a very scientific manner. Book also provides details on various topics as personal hygiene, kitchen hygiene and sanitation, staff standards etc. Last but not the least the book has covered the aspect of the various food contaminations including chemical contamination, biological contamination and radiation etc. Present book is of utmost importance to understand the value of the food hygiene, sanitation and the food safety closely. Although the author has talked about all important topics with regard to food safety and hygiene but he fails to provide any suggestions to improve all these things to which the researcher thinks an area to be looked upon.

[142] Vandana Prasad, Children's Rights to Food: Constitutional Legal Protection and Nutritional Empowerment , 12 Journal of the National Human Rights Commission. 111, 125 (2013). \
[143] Vikas Singh & Subhadip Majumdar, Text Book of Food Production (2011).

**Vikas Bajpai and Anoop Saraya, "*Food Security in India: Myth and Reality*, (2018)[144],** Present book provides the information on the issue of the food security in our country and the public policy debates on it. While discussing government schemes like Mahatma Gandhi Rural Employment Act, the author has attempted to comprehensively cover the implementation of policies related to food security which will be of immense help to researcher.

**World Health Organization, *Food Safety: What You Should Know (2015)*[145],** W.H.O being the apex health organization is more concerned about the human health and issues related with it. Present article focuses on the problem of Food Safety in India. Further article provides that food safety is everybody's concern and it is very difficult to find anyone who has not encountered an unpleasant movement of food borne illness. As per article the main reason of these problems is the changing food habits. Further article has provided the slogan of World Health Day 2015 namely: "From farm to plate, make food safe". Article suggests some of the major key steps to ensure a safer food namely: keeping the food surface clean, washing utensils, plates, platters, separating raw food from cooked food, cooking food thoroughly at an appropriate temperature using safe water and raw materials etc. The article is directly connected with my research work because it is focused on the ensuring of food safety at different times as: transport, processing, storage and finally during the food preparation & storage by consumers.

**William P. Browne and Don F. Hadwiger's "*World Food Policies*, (1986)[146],** provides information about the policies of public nature which makes the world food supply available. Author has covered the role of not only the world food organizations but also non government organisations on the issue of food availability and supply.
This book provides an in depth analysis of the world food policies and therefore, for the better understanding of the issue of food supply at international level.

### 1.4 Hypothesis

It is hypothesized as under:

1. There is no availability of safe food in India.
2. There is no law providing for the professional training of food handlers in India.

[144] Vikas Bajpai & Anoop Saraya, Food Security in India: Myth and reality (2018).
[145] World Health Organization, Food Safety: What you should Know, (Jan. 20, 2020, 7:43 PM), http://www.searo.who.int/entity/world_health_day/2015/whd-what-you-should-know/en/ .
[146] William P. Browne & Don F. Hadwiger, World Food Policies (1986).

3. There are no laws on food packing , processing and distribution.
4. There is lack of implementation of food safety standards in India
5. The effective mechanism for the implementation of laws in India is lacking.

### 1.5 Objectives of the research

A lot of studies have been conducted throughout India on the issue of Food Safety but none has systematically analyzed the issue of food safety. Moreover most of the empirical investigations due to methodological limitations have overestimated or underestimated the magnitude of the food safety. The present study will thus attempt to analyze all such issues in the India. The objectives of the study are as follow:

**1.** To analyse the present status related to availability of safe food in India.
**2.** To study the laws, policies and guidelines related to the professional training of food handlers in India.
**3.** To analyse the laws, policies and guidelines related to food packing, processing and distribution.
**4.** To find out the implementation of food safety standards in India
**5.** To evaluate the mechanism for the implementation of laws in India.
**6.** To study the role of international agencies in food safety.
**7.** To compare the food safety standards of India with United States and Australia.
**8.** To discuss the judicial approach related to food safety in India.
**9.** To make concrete suggestions

### 1.6 Research Methodology

The present study is a theoretical study. Keeping in the view of the nature of study, it has been decided to take on this study through secondary sources. The present study is based on the secondary sources.

**Data Collection:** Secondary data will be collected from the published and non published sources. It will include different books, articles, reports of the various department, journals and leading case laws pertaining to food safety.

### 1.7 Universe of Study

The present study shall discuss the laws, policies and guidelines issued by the Central Government and various State governments on food safety till date. The important international conventions related to the topic of research shall also be discussed. Further

the present laws on food safety in United States of America and Australia shall be analysed.

### 1.8 Chapterisation

Research will be completed through the help of following chapeterization scheme:

**Chapter 1 Introduction**

The chapter one will deal with the introduction of the topic, formulation of the problem, objectives of the study undertaken, review of the already existing literature, methodology and research design.

**Chapter 2 Historical Perspective**

The chapter second will deal with the historical work of the study. In this particular chapter various theories of the food safety will be discussed to evolve a theoretical framework for the undertaken study.

**Chapter 3 International Legal Framework**

The guidelines/ conventions etc framed at international level by two or more countries, international agencies or bodies including League of Nations and United Nations shall be discussed and analysed. The relevant reports of international agencies, commissions etc. shall also be discussed.

**Chapter 4 Constitutional and Indian Legal Framework**

The fourth chapter will deal with the Analysis of different legislations relating to Food Safety in India. The directions, policies and guidelines framed on food safety shall also be discussed. It shall include the laws etc. framed by the central as well as state governments. Further the commissions and committees formed related to food safety and their recommendations shall also be considered.

**Chapter 5 Comparative Analysis of Food Safety Laws in India, United States of America and Australia**

Chapter Five shall discuss the present laws related to food safety in United States of America and Australia and compare them with the food safety laws in India. This will help to analyse the Indian laws in new light and find the drawback in Indian laws**.**

**Chapter 6 Judicial Approach**

This chapter will cover the judicial approach on the issue of food safety in India. Thus this chapter will cover the various judgments of the apex court and other lower courts on the issue of the food safety in India.

**Chapter 7 Result and Discussion**

This chapter will describe the results of the study undertaken by the researcher. The analysis of the fifth chapter will help to draw certain important result and discussion.

**Chapter 8 Conclusion and Suggestions**

The Concluding chapter will summarize the entire data and debate initiated and presented in the previous chapters. The analysis of the fourth and fifth chapter will help to draw certain important conclusions, suggestions and recommendations. Thus it will draw and ascertain some policies and step to be taken by the government for the food safety.

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**CERTIFICATE**
**(SYNOPSIS APPROVAL CERTIFICATE)**

This is to certify that the Synopsis/Ph.D. Thesis titled, "LAWS RELATING TO FOOD SAFETY: NATIONAL AND INTERNATIONAL PERSPECTIVE", submitted by **Mr. Aman Deep Nadda** to the Career Point University, Hamirpur (H.P.), India in partial fulfillment of the requirements for the degree of **DOCTOR OF PHILOSOPHY** in the Division/Department of DEPARTMENT OF LAW, HUMANITIES AND ARTS, School OF LEGAL STUDIES AND GOVERNANCE has been approved by the Research Advisory Committee (RAC) after an Oral Examination of the student on dated 06.06.2020.

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